

cooperating. Clearly, to go forward now would visit a manifest miscarriage of justice upon all concerned. Furthermore, the Court finds pursuant to **18 U.S.C. § 3161(h)(7)** that since no motion to sever has been filed, the trial should be continued for the other co-defendants scheduled for trial that day, May 14, 2007: Lawrence Keniley, Joshua J. Jarvis, Keith D. Kunze, and Kevin M. Kunze (collectively referred to herein as “Co-Defendants”). A single trial is favored to preserve the resources of the Court and to promote efficiencies. Therefore, the Court **GRANTS** Defendants Kempf, Peterson, and Laird’s motions to continue (Docs. 199, 202, 203) and continues the trial scheduled for May 14, 2007 for Defendants Kempf, Peterson, Laird and the remaining Co-Defendants until July 9, 2007 at 9:00 a.m. The time from the date Defendant Kempf’s motion was raised, April 5, 2007, until the date on which the trial is rescheduled, July 9, 2007, is excludable time for the purposes of speedy trial.

IT IS SO ORDERED.

Signed this 9th day of April, 2007.

/s/ David RHerndon
United States District Judge